

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ARON MIRON,

Plaintiff,

v.

CALIFORNIA HEATH CARE
FACILITY,

Defendant.

No. 2:22-cv-0658 DB P

ORDER AND FINDINGS AND
RECOMMENDATIONS

Plaintiff, a state prisoner at California Health Care Facility, filed a letter seeking court intervention regarding his medical needs. (ECF No. 1.) By order dated April 22, 2022, plaintiff was directed to file a complaint as required by Rule 3 of the Federal Rules of Civil Procedure within thirty days. (ECF No. 3.) Plaintiff was further ordered to either pay the filing fee or submit an application to proceed in forma pauperis within thirty days. He was advised that failure to comply with the court's order would result in a recommendation that this action be dismissed. Those thirty days have passed, and plaintiff has not filed a complaint, paid the filing fee, submitted an application to proceed in forma pauperis, requested additional time to do so, or otherwise responded to the court's order. Accordingly, the undersigned will recommend that this action be dismissed for failure to prosecute and failure to comply with court orders.

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1 Accordingly, the Clerk of the Court is ORDERED to randomly assign this action to a
2 district judge.

3 IT IS HEREBY RECOMMENDED that this action be dismissed without prejudice. See
4 Local Rule 110; Fed. R. Civ. P. 41(b).

5 These findings and recommendations are submitted to the United States District Judge
6 assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within twenty days
7 after being served with these findings and recommendations, plaintiff may file written objections
8 with the court and serve a copy on all parties. Such a document should be captioned "Objections
9 to Magistrate Judge's Findings and Recommendations." Plaintiff is advised that failure to file
10 objections within the specified time may waive the right to appeal the District Court's order.

11 Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

12 Dated: September 26, 2022

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15 DEBORAH BARNES
16 UNITED STATES MAGISTRATE JUDGE
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